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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald J. Lebel, et al. Examiner: Unassigned
Serial No.: 10/824,083 Group Art Unit: 2655
Filed: April 14/2004 Docket: 047711-0339
Title: AMBULATORY MEDICAL APPARATUS WITH HANDHELD COMMUNICATION
DEVICE

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as First Class Mail with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 on August 13, 2004.

By: _____

Richard S. Ruggiero
Richard S. Ruggiero

Commissioner for Patents
Alexandria, VA 22313

Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement (In duplicate)
- ☒ Form PTO-Form SB08
- ☒ Copies of Cited References (4)
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Date: August 13, 2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (310) 277-2223
Facsimile: (310) 557-8475

By: _____

Ted Rittmaster
Name: Ted Rittmaster
Reg. No.: 29,430
TRR/rsr



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Atty. Dkt. No. 047711-0339

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Applicant: Ronald J. LEBEL, et al.
Title: AMBULATORY MEDICAL
APPARATUS WITH HANDHELD
COMMUNICATION DEVICE
Appl. No.: 10/824,083
Filing Date: 04/14/2004
Examiner: Mark Bockelman (Prior)
Art Unit: 2655

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Richard S. Ruggiero</u> (Printed Name)</p> <p><u>Richard S. Ruggiero</u> (Signature)</p> <p><u>August 13, 2004</u> (Date of Deposit)</p>
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language document is described in the present specification. An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98)

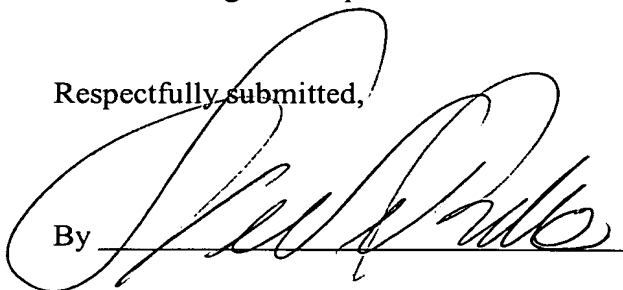
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date

8/13/04

By



FOLEY & LARDNER LLP
Customer Number: 23392
Telephone: (310) 975-7963
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Ted R. Rittmaster
Attorney for Applicant
Registration No. 32,933

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Date Submitted: August 13, 2004

(use as many sheets as necessary)

1 of 1

Complete if Known

Application Number	10/824,083
Filing Date	04/14/2004
First Named Inventor	Ronald J. Lebel et al.
Group Art Unit	2655
Examiner Name	Unassigned
Attorney Docket Number	047711-0339

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	4,494,950		Fischell	02/22/1985	
	A2	5,127,404		Wyborny et al.	07/07/1992	
	A3	5,191,326		Montgomery	03/02/1993	
	A4	5,416,695		Stutman et al.	05/16/1995	
	A5	5,438,621		Hornak et al.	08/01/1995	
	A6	5,659,299		Williamson et al.	08/19/1997	
	A7	5,718,234		Warden et al.	02/17/1998	
	A8	6,026,124		Lee et al.	02/15/2000	
	A9	6,418,346		Nelson et al.	07/09/2002	
	A10	4,258,711		Tucker et al.	03/31/1981	
	A11	6,057,758		Dempsey et al.	05/02/2000	
	A12	6,088,618		Kerver	07/11/2000	
	A13	5,800,472		Mann	09/01/1998	
	A14	5,733,313		Barreras, Sr. et al.	03/31/1998	
	A15	4,373,527		Fischell	02/15/1983	
	A16	6,409,674 B1		Brockway et al.	06/25/2002	
	A17	5,720,770		Nappholz et al.	02/24/1998	
	A18	6,155,267		Nelson	12/05/2000	
	A19	5,724,985		Snell et al.	03/10/1998	
	A20	4,487,603		Harris	12/11/1984	
	A21	5,620,474		Koopman	04/15/1997	
	A22	5,749,907		Mann	05/12/1998	
	A23	5,368,562		Blomquist et al.	11/29/1994	
	A24	5,456,692		Smith et al.	10/10/1995	
	A25	5,630,710		Tune et al.	05/20/1997	
	A26	5,647,854		Olsen et al.	07/15/1997	
	A27	5,658,133		Anderson et al.	08/19/1997	
	A28	5,658,250		Blomquist et al.	08/19/1997	
	A29	5,669,877		Blomquist	09/23/1997	
	A30	5,695,473		Olsen	12/09/1997	
	A31	5,788,669		Peterson	08/04/1998	
	A32	5,810,771		Blomquist	09/22/1998	
	A33	5,876,370		Blomquist	03/02/1999	
	A34	5,935,099		Peterson et al.	08/10/1999	
	A35	5,935,106		Olsen	08/10/1999	
	A36	6,024,539		Blomquist	02/15/2000	
	A37	6,123,686		Olsen et al.	09/26/2000	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: August 13, 2004 <i>(use as many sheets as necessary)</i>				Complete if Known	
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				Examiner Name	Unassigned
				Attorney Docket Number	047711-0339
Sheet	2	of	1		

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A38	EP	0 346 783		Ascom Ericsson Transmission AG	12/15/1993		AB
	A39	WO	WO 95/02426		Sims Deltec Inc.	01/26/1995		
	A40	WO	WO 96/03168		Sims Deltec Inc.	02/08/1996		
	A41	WO	WO 97/18639		Vitalcom, Inc.	05/22/1997		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	

Examiner Signature		Date Considered	
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